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DEC 05 2007

OFFICE OF PETITIONS

In re Application of	:	
Ronald Katz	:	
Application No. 09/505915	:	
Filing or 371(c) Date: 02/17/2000	:	DECISION
Attorney Docket Number:	:	
245/248(6046-101D8)	:	

This is a decision on the correspondence entitled "Letter requesting Withdrawal of Improper Notice of Abandonment Under MPEP 711.03 and 37 CFR 1.137," filed October 22, 2007, requesting reconsideration and withdrawal of the Notice of Abandonment. The petition is properly treated under 37 CFR 1.181.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed January 25, 2007. The Office action set a three (3) month period for reply. Extensions of time were available under 37 CFR 1.136(a). No response having been received, the application became abandoned April 26, 2007. A Notice of Abandonment was mailed August 23, 2007.

Applicant's Assertion

Applicant files the instant petition and asserts that a timely reply to the Office action was filed on July 25, 2007, including a request for a three (3) month extension of time and fee. In support of this assertion, Applicant files a copy of the response, and a copy of his return-receipt postcard.

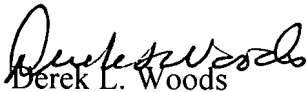
Analysis and conclusion

A review of the response reveals that the response contained a Certificate of Mailing under 37 CFR 1.8, certifying that the response was mailed to this Office on July 25, 2007. The Certificate of Mailing was executed by Petitioner herein. A review of the return-receipt postcard reveals that this Office acknowledged receipt of the response on August 14, 2007. A review of office finance records reveal that this Office charged the fee for a three (3) month extension of time to Petitioner's deposit account on August 14, 2007.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

The application will be referred to Technology Center Art Unit 2614 for processing of the response, and for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions